

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

<b>IN THE MATTER OF:</b>	)	
	)	
Bretford Manufacturing, Inc.	)	<b>NOTICE OF VIOLATION</b>
Franklin Park, Illinois	)	
	)	<b>EPA-5-01-IL-14</b>
Proceedings Pursuant to	)	
Section 113(a)(1) of the	)	
Clean Air Act,	)	
42 U.S.C. § 7413(a)(1)	)	
_____	)	

**NOTICE OF VIOLATION**

The Administrator of the United States Environmental Protection Agency (U.S. EPA), is issuing this Notice of Violation under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413 (a)(1). U.S. EPA finds that Bretford Manufacturing, Inc. (Bretford) is violating the Illinois State Implementation Plan (Illinois SIP), as follows:

**Statutory and Regulatory Background**

1. On May 31, 1972, U.S. EPA approved Rule 103(a)(1) (recodified as 35 IAC 201.142) as part of the federally enforceable SIP for Illinois. 37 Fed. Reg. 10862.
2. U.S. EPA gave the Illinois Title V Clean Air Act permit Program (CAAPP) interim approval as a 40 C.F.R. Part 70 permit program on March 7, 1995. See 60 Fed. Reg. at 12478. U.S. EPA promulgated the Part 70 program regulations under the authority of Section 502 of the Act, 42 U.S.C. § 7661(a). The regulation at 40 C.F.R. § 70.6(b)(1) specifies that all terms and conditions in a permit issued under a Part 70 program, including any provision designed to limit a source's potential to emit, are enforceable by U.S. EPA under the Act.
3. The State of Illinois amended the Wood Furniture Coating Rules effective February 2, 1998. 22 Ill. Reg. 3556. On March 6, 1998, the State of Illinois submitted the amended rules to U.S. EPA as a requested revision of the Illinois SIP for ozone. On May 19, 1998, U.S. EPA approved the Illinois SIP revision, making the amended Wood Furniture Coating Rules federally enforceable, effective July 20, 1998. 63 Fed. Reg. 27489.

4. The Illinois Environmental Protection Agency (IEPA) issued a Title V and Title I CAAPP permit to Bretford on January 19, 2000.
5. IPCB Rule 201.142 specifies that no person shall cause or allow the construction of any new emission source or any new air pollution control equipment, or cause or allow the modification of any existing emission source or air pollution control equipment, without first obtaining a construction permit from the IEPA.
6. IPCB Rule 218.204 (1) (2) (A) sets forth the emission limitations for wood furniture coaters, specifying that no owner or operator of a coating line shall apply at any time any coating in which the VOM content exceeds the emission limitations for the specified coating. As of March 15, 1998, wood furniture topcoats must comply with the emission limitation of 0.8 lb VOM/lb solid, as applied. This emission limitation is set forth in condition 7.1.3.(f) (i) of Bretford's Title V permit.
7. IPCB Rule 218.204 (1) (2) (B) (i) sets forth the emission limitations for wood furniture coaters, specifying that no owner or operator of a coating line shall apply at any time any coating in which the VOM content exceeds the emission limitations for the specified coating. As of March 15, 1998, wood furniture non-acid-cured alkyd amino vinyl sealers must comply with the emission limitation of 1.9 lb VOM/lb solid, as applied. This emission limitation is set forth in condition 7.1.3.(f) (i) (A) of Bretford's Title V permit.
8. IPCB Rule 218.204 (1) (2) (B) (iv) sets forth the emission limitations for wood furniture coaters, specifying that no owner or operator of a coating line shall apply at any time any coating in which the VOM content exceeds the emission limitations for the specified coating. As of March 15, 1998, wood furniture acid-cured alkyd amino conversion varnishes must comply with the emission limitation of 2.0 lb VOM/lb solid, as applied. This emission limitation is set forth in condition 7.1.3.(f) (i) (B) of Bretford's Title V permit.
9. IPCB Rule 218.105(a) states that, to determine compliance, Method 24 of 40 C.F.R. Part 60 Appendix A shall be used to determine the VOM content and density of coatings, as applied. If it is demonstrated to the satisfaction of the IEPA and the U.S. EPA that plant coating formulation data

are equivalent to Method 24 results, formulation data may be used. In the event of any inconsistency between a Method 24 test and a facility's formulation data, the Method 24 test will govern. This requirement is set forth in condition 7.1.7 of Bretford's Title V permit.

10. IPCB Rule 218.211(c)(2) specifies that on or after July 20, 1998, the owner or operator of a subject coating line must collect and record the weight of VOM per weight of solids and certified product data sheets for each coating as applied, each day on each coating line. This requirement is set forth in condition 7.1.9 of Bretford's Title V permit.

#### **Factual Background**

11. Bretford owns and operates a wood office furniture manufacturing facility located at 11000 Seymour Avenue, Franklin Park, Illinois. Bretford's facility is located in Cook County, Illinois.
12. Bretford's facility in Franklin Park, Illinois, is subject to the Illinois SIP and CAAPP requirements identified above.
13. On March 3, 1978, U.S. EPA designated Cook County as a nonattainment area for ozone. 43 Fed. Reg. 8964.
14. On November 15, 1990, U.S. EPA designated Cook County as nonattainment area for ozone and classified it as severe nonattainment. 56 Fed. Reg. 56751.
15. During calendar year 1995, Bretford's Franklin Park facility operated six coating spray booths and three electrostatic powder coating lines where VOM-containing coatings were sprayed onto wood products.
16. The electrostatic powder coating lines listed in paragraph 14 were constructed in February 1995 at the Bretford's Franklin Park facility. The electrostatic powder coating lines are subject to the Illinois-SIP provisions.
17. Bretford did not apply for a construction permit prior to constructing the electrostatic powder coating lines described in paragraph 16.
18. In or about 1996, Bretford constructed two additional spray booths.


19. Bretford did not apply for a construction permit prior to constructing the two additional spray booths described in paragraph 18.
20. Since July 20, 1998, Bretford has used the following three topcoats: topcoat No. 16013 has a VOM content of 2.95 lb VOM/lb solid, as applied; topcoat No. 16373 has a VOM content of 1.8 lb VOM/lb solid, as applied; and topcoat No. 16183 with catalyst AT-16183 has a VOM content of 2.89 lb VOM/lb solid, as applied.
21. Since July 20, 1998, Bretford has used one non-acid-cured alkyd amino vinyl sealer (code number 15912) having a VOM content of 3.53 lb VOM/lb solid, as applied.
22. Since July 20, 1998, Bretford has used one acid-cured alkyd amino conversion varnish (code number 16403 with catalyst 33095-X) having a VOM content of 2.12 lb VOM/lb solid, as applied.
23. For the topcoat No. 16183 with catalyst AT-16183, as applied, Bretford did not conduct a Method 24 test of the as applied coating.
24. For the acid-cured alkyd amino conversion varnish (code number 16403 with catalyst 33095-X), as applied, Bretford did not conduct a Method 24 test to the as applied coating.
25. Since July 20, 1998, Bretford has not collected and recorded the weight of VOM per weight of solids and certified product data sheets for each coating as applied, each day on each coating line.

#### **Findings of Violation**

26. Bretford's construction and operation of electrostatic powder coating lines without permits to construct is a violation of IPCB Rules 201.142.
27. Bretford's construction and operation of two additional spray booths without permits to construct is a violation of IPCB Rules 201.142.
28. Bretford's use of the topcoats with a VOM content greater than 0.8 lb VOM/lb solid after July 20, 1998, is a violation of the emission limitations for wood furniture coaters at IPCB Rule 218.204 and condition 7.1.3(f)(i) of Bretford's Title V permit.

29. Bretford's use of the non-acid cured alkyd amino vinyl sealer with a VOM content greater than 1.9 lb VOM/lb solid after July 20, 1998, is a violation of the emission limitations for wood furniture coaters at IPCB Rule 218.204 and condition 7.1.3(f)(i)(A) of Bretford's Title V permit.
30. Bretford's use of the acid-cured alkyd amino conversion varnish with a VOM content greater than 2.0 lb VOM/lb solid after July 20, 1998, is a violation of the emission limitations for wood furniture coaters at IPCB Rule 218.204 and condition 7.1.3(f)(i)(B) of Bretford's Title V permit.
31. Bretford's failure to conduct Method 24 tests for the formulations specified in paragraphs 23 and 24, as applied, is a violation of IPCB Rule 218.105(a) and condition 7.1.7 of Bretford's Title V permit.
32. Bretford's failure to collect certified product data sheets for each coating, and to record the weight of VOM per weight of solid for each coating as applied, each day on each coating line is a violation of IPCB Rule 218.211(c)(2) and condition 7.1.9 of Bretford's Title V permit.

9-27-01  
Date

  
\_\_\_\_\_  
Bharat Mathur, Director  
Air and Radiation Division

**CERTIFICATE OF MAILING**

I, Betty Williams, certify that I sent a Notice of Violation, issued pursuant to the Clean Air Act, by Certified Mail, Return Receipt Requested, to:

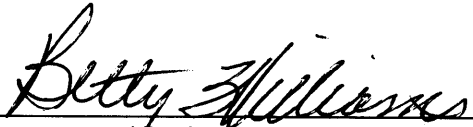
William J. Browne, Jr., Director of Operations  
Bretford Manufacturing, Inc.  
11000 Seymour Avenue  
Franklin Park, Illinois 60131

I also certify that I sent copies of the Notice of Violation by first class mail to:

Julie Armitage, Acting Section Manager  
Compliance and Systems Management Section  
Bureau of Air  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Springfield, Illinois 62702

Harish Narayan, Acting Regional Manager  
Illinois Environmental Protection Agency, Region 1  
9511 W. Harrison Street  
Des Plaines, Illinois 60016

on the 27<sup>th</sup> day of September, 2001.

  
Betty Williams, Secretary  
AECAS, (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER: 7099340000009586424